

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO.: 05-440M
)	
Plaintiff,)	
)	
v.)	DETENTION ORDER
)	
DAVID GORDON KITTS,)	
)	
Defendant.)	
_____)	

Offense charged:

Smuggling Aliens for Gain; Unlawful Entry

Date of Detention Hearing: Initial Appearance September 7, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Complaint with bringing four individuals into the United States from Canada for the purpose of commercial advantage and private financial gain, and with aiding those individuals to evade and elude examination and inspection by immigration officials.

(2) Defendant is a native and citizen of Canada. He was not interviewed by Pretrial

01 Services. No further information is known about his personal history, residence, family ties, ties
02 to this District, income, financial assets or liabilities, physical/mental health or controlled substance
03 use if any.

04 (3) An immigration detainer has been filed.

05 (4) The defendant does not contest detention.

06 (5) The defendant poses a risk of nonappearance based on his status as a native and
07 citizen of Canada, unknown background information, and immigration detainer. He does not pose
08 a risk of danger.

09 (6) There does not appear to be any condition or combination of conditions that will
10 reasonably assure the defendant's appearance at future Court hearings.

11 It is therefore ORDERED:

12 (1) Defendant shall be detained pending trial and committed to the custody of the
13 Attorney General for confinement in a correction facility separate, to the extent
14 practicable, from persons awaiting or serving sentences or being held in custody
15 pending appeal;

16 (2) Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;

18 (3) On order of a court of the United States or on request of an attorney for the
19 Government, the person in charge of the corrections facility in which defendant is
20 confined shall deliver the defendant to a United States Marshal for the purpose of
21 an appearance in connection with a court proceeding; and

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01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 7th day of September, 2005.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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